

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

MURRAY PAVING & RECLAMATION, INC.,

Plaintiff, v.

INGERSOLL-RAND EQUIPMENT & SERVICES
COMPANY and INGERSOLL-RAND COMPANY,

Defendants.

CIVIL ACTION No. 04-10328 GAO

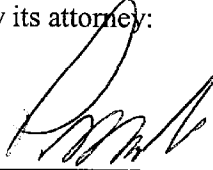
STIPULATION OF DISMISSAL

The parties to the above-entitled action, pursuant to the provisions of FedRCivP Rule 41

(a) (1) (ii), hereby stipulate that said action be dismissed, WITH PREJUDICE AND WITHOUT COSTS.

MURRAY PAVING & RECLAMATION, INC.

By its attorney:



Peter F. Davis BBO #116160
15 Broad Street, Suite 512
Boston, Mass. 02109
Tel: (617) 227-1344
Fax: (617) 723-2844

INGERSOLL-RAND EQUIPMENT & SERVICES
COMPANY and
INGERSOLL-RAND COMPANY
By their attorney:

1st [Signature] D-M-J- #636645
FOLEY HOAG LLP

Jeffrey S. Follett BBO #564337
Adam Weisberger BBO #646844
155 Seaport Boulevard
Boston, Mass. 02110
Tel: (617) 832-1000
Fax: (617) 832-7000